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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक M.C.C.No.174/07 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश |
|---|---|---|

M.C.C. No. 174/2007

APPLICANT — Shiv Kumar Vaishnav, S/o. Bodhan Das Vaishnav, aged about 33 years, R/o. Bramhanpara, Patan, Distt. Durg (C.G.)

Versus

RESPONDENTS

1. Garib Das @ Vijay, S/o. Munshi Ram Manikpuri, aged about 26 years, R/o. Sirdar Chowk New Pureina Tikrapara, Raipur (C.G.)
2. Satnam Singh, S/o. Govind Singh, aged about 27 years, Qr. C/19, R.D.A., Colony Tikrapara, Raipur (Owner-Minibus CG-04 ZA 0116)
3. Branch Manager, The New India Insurance Co. Ltd., Branch – 1, IInd Floor, Bajrang Market, R.D.A. Bhawan, Raipur (C.G.) (Insurance Co. of Mini Bus CG-4ZA0116 Policy No. 450301/31/02/05 817 valid dated 29-11-02 to 28-11-03)

SB: HON'BLE SHRI DHIRENDRA MISHRA, J.

Shri Shrawan Agrawal, Advocate for the applicant.

ORDER
(11-6-2007)

Dhirendra Mishra, J.

Heard.

The applicant has preferred this application for restoration of Misc. Appeal No. 673/2006 dismissed by this Court on 26-4-2007 for non-prosecution.

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XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक MC-C-No. 174/2007 सन् 200

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|---|---|---|
| | Learned counsel for the appllicant submits that he could not appear on the date when the matter was called out for hearing because he was busy in another Court. He further submits that the application for restoration was filed only after 15 days within time, therefore, considering that this is claimant's appeal, the application should be considered sympathetically.<br><br>Taking into consideration that the appeal was dismissed because of lapse on the part of the counsel for the appellant of non-appearing before this Court, the application is allowed and the Misc. Appeal No. 673/2006 shall be restored to its original number subject to payment of cost of Rs. 200/- payable to the High Court Legal Aid Committee.<br><br>Sd/-<br>Dhirendra Mishra<br>Judge | |